

Exhibit 3

May 5, 1999

Judge Lee

Abbott: Hearing today by immigration Judge Lee Abbott, Eloy Detention Center, Eloy, Arizona. Today's date is the 5th of May, 1999. Cinco de Mayo for my Mexican friends. Immigration services represented by David Benargas. Thus far the respondents are currently pro se. The interpreter of the Spanish language today is, if necessary, is Mr. Carlos Hernandez. Good morning gentlemen.

Interpreter: Good Morning.

JA: Gentlemen, the reason you are in court this morning is immigration services is seeking to deport you. Before that can happen you are entitled to a hearing before an immigration judge. That's me. Contrary to popular belief, I don't work for immigration services. My job is to determine the validity of the charges made against you. And if the charges are invalid I will dismiss the case. Even if the charges are valid there still may be ways for you to avoid deportation from the United States. That depends on the facts of your case. Once I know more about your case I will let you know if you are eligible to avoid deportation or not. Now gentlemen, during this hearing you have various legal rights. First you have the right to legal counsel if you are (unintelligible). If you cannot afford to pay for your own attorney there are some attorneys in this area who might be willing to represent you for free. The immigration service should have given you a list of these attorneys. You should have also received a notice of your appeal rights as well. If there is anyone here who did not get these documents, please stand and I will get them to you this morning. May the record reflect no one is standing. In the event you cannot or will not get anyone to help you with your case, you will have to represent yourself. During this hearing you will get to question any witnesses presented by the government's attorney. Today that is Mr. Benargas. You will also get to see any documents that Mr. Benargas wants me to see. You may object to any evidence that you think is wrong or false in some way. You may also testify on your own behalf and present your own witnesses and documents in your case. Once I've had a chance to review the evidence in your case, I will decide whether you should be deported or whether you should be granted some form of relief from deportation. And in the event that the charges are invalid, whether to dismiss the charges. Gentlemen, if you disagree with my decision you will have the right to appeal it to the board of immigration proceedings. You may also accept the decision. But if you make an appeal to the immigration service, I cannot deport you from the United States while your appeal is pending. And you will not be deported unless you lose in the appeal proceedings. Gentlemen, those are the legal rights you have in this hearing today. In a moment I will speak to you individually about your case. First, I would like you all to please stand and raise your right hand to be sworn. Gentlemen do each of you swear or affirm under the penalty of perjury—your right hand sir. Let's start over. Gentlemen, do each of you swear or affirm under the penalty of perjury that any testimony you give today will be the truth, the whole truth, and nothing but the truth? Please respond with yes.

Defendants: Yes, by all.

....

JA: The next case is 92-688-996. Mr. Peralta. What is your best language, sir?
RP: Spanish.
JA: Is Rufino Peralta your correct name?
RP: Yes.
JA: Did you understand the legal rights I explained earlier?
RP: Yes.
JA: Do you need some time to get a lawyer to help you?
RP: Yes.
JA: How much time do you need to get a lawyer?
RP: About thirty days.
JA: Alright, let's reset your case to June the 7th at 10 o'clock in the morning. That's 30 days from today. Since I'm giving you so much time to get an attorney, your attorney needs to be ready to answer for you, the charges for you on June the 7th if you have one. If you haven't been able to get an attorney by that date you will have to answer the charges yourself. Okay? Now, before we reset your case, I want to make sure you got a copy of the charges against you so you can give those to your lawyer. The immigration service says they gave you a copy of those charges on April the 14th. Is that true?
RP: Yes.
JA: Those charges will be exhibit number one in your case. And I highly suggest if you hire an attorney you give him a copy of those charges. You understand?
RP: Yes.
JA: Alright, that's all for today. (unintelligible) Alright.

JUNE 7, 1999

JA: This is a record of a removed (unintelligible) case of Rufino Peralta-Sanchez. 92-688-996. Hearing today by Immigration Judge Lee Abbott, Eloy Detention Center, Eloy, Arizona. Today's date is June 7th, 1999. The language is Spanish. Interpreter David Loco. Immigration services represented by James Bernard. Thus far, the respondent appears pro se. Mr. Peralta, you were last before me on May the 5th and you asked me for approximately 30 days to get an attorney to help you. I don't see than an attorney has entered an appearance in your case and it's almost 11 o'clock. Do you have an attorney to help you?
RP: No.
JA: Alright, then you will need to be speaking for yourself today. Are you ready for that?
RP: Yes.
JA: Alright. Would you please raise your right hand? Your right hand. Do you swear or affirm under penalty of perjury that the testimony you give today will be the truth, the whole truth, and nothing but the truth?
RP: Yes.

JA: Um. Mr. Peralta, previously I marked the charges against you as exhibit number one in your case. I'm going to ask you some questions, just tell me if they are true or false. Are you a native and a citizen on the country of Mexico?

RP: Yes

JA: Is either one of your parents a citizen of the United States?

RP: No.

JA: Do you have any reason to believe that you might be a citizen of the United States?

RP: I have three sons. Three children.

JA: Is that the reason you think you might have a claim of citizenship? Through your children?

RP: Well I think so.

JA: Okay, um, you can obtain citizenship occasionally if your parents are citizens, but not your children. Is there any other reason that you might think that you have a claim to citizenship?

RP: No.

JA: In December of 1990, would you be-- were you granted permanent resident status through the amnesty program?

RP: Yes.

JA: On February the 5th of 1996 in the Superior court of the state of California, in the county of Modesto, were you convicted of a crime called driving under the influence of alcohol or drugs.

RP: Yes

JA: Were you sentenced to prison for a period of 16 months as a result of that conviction?

RP: Yes

JA: The immigration services is seeking to deport you, sir, because you have been convicted of a crime that is defined as an aggravated felony. Specifically, driving under the influence of alcohol has been determined to be a crime of violence by the board of immigration appeals. And it qualifies as a crime of violence if it is a felony and you receive a sentence of one year or more. In your case, you got a DUI conviction with a sentence of 16 months. So it seems to fit in that definition. And that is why the immigration service wants to deport you. Do you understand those charges?

RP: Yes

JA: Do you agree that you could be deported for those reasons?

RP: Yes

JA: I'm afraid I do as well so I will sustain the charge. Mr. Peralta, are you married to a citizen of the United States?

RP: No, we are just living together.

JA: Are any of your children citizens of the United States?

RP: The three.

JA: And are any of your children aged 21 or older?

RP: No.

JA: Mr. Peralta, I'm afraid then you are not eligible to any relief from deportation. The law requires me to order your deportation from the United States. What country do you choose to be deported to sir?

RP: Mexico.

JA: Do you have any reason to fear for your life or freedom if you go to Mexico?

RP: No

JA: Alright. Sir I am going to order your deportation from the United States to Mexico today because that's what federal law requires me to do. Doesn't give me any choice. You have the right to appeal my decision if you disagree with it or you may accept my decision. What you would you like to do?

RP: I accept it.

Unidentified Female: Government waives.

JA: Mr. Peralta good luck to you sir.

Exhibit 4

U.S. Department of Justice
Immigration and Naturalization Service

Warrant of Removal/Deportation

File No: A92 688 996

Date: JUN 07 1999

To any officer of the United States Immigration and Naturalization Service:

PERALTA-Sanchez, Rufino

(Full name of alien)

who entered the United States at Calexico, California on Unknown date in 1979
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

- ☒ an immigration judge in exclusion, deportation, or removal proceedings
- ☐ a district director or a district director's designated official
- ☐ the Board of Immigration Appeals
- ☐ a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

Section 237(a)(2)(A)(iii)

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney general under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of the Immigration and Naturalization Service 1999, including the expense of an attendant if necessary.

Rosanne C. Sanchez

(Signature of INS official)

District Director

(Title of INS official)

JUN 07 1999 Eloy, Arizona

(Date and Office location)

U.S. Department of Justice
Immigration and Naturalization Service

Warrant of Removal/Deportation

To be completed by Service officer executing the warrant:

Name of alien being removed:

PERALTA-Sanchez, Rufino

Port, date, and manner of removal:

**DEPORTED TO MEXICO
VIA NOGALES, AFOOT**



Photograph of alien
removed



Right index fingerprint
of alien removed

RUFINO P. SANCHEZ
(Signature of alien being fingerprinted)

J. Martinez
(Signature and title of INS official taking print)

U.S. IMMIGRATION DETENTION OFFICER

Departure witnessed by: [Signature]
(Signature and title of INS official)

U.S. IMMIGRATION DETENTION OFFICER

If actual departure is not witnessed, fully identify source or means of verification of departure

If self-removal (self-deportation), pursuant to 8 CFR 241.7, check here. ☐

Departure verified by: Anthony V. Braine
(Signature and title of INS official)




U.S. IMMIGRATION DETENTION OFFICER

Exhibit 5

U.S. Department of Homeland Security

Subject ID: 343255257

Record of Deportable/Inadmissible Alien

Family Name (CAPS) PERALTA-SANCHEZ, RUFINO		First	Middle	Sex M	Hair BLK	Eyes BLK	Complexion MED
Country of Citizenship MEXICO	Passport Number and Country of Issue	CASE No. A092 688 996	File Number	Height	Weight	Occupation LABORER	
U.S. Address NONE-CLAIMED				Scars and Marks TATTOO CHEST			
Date, Place, Time, and Manner of Last Entry 05/25/2012, 2230, 11 mile(s) W of CAL, AFOOT				FBI Number [REDACTED]			
Number, Street, City, Province (State) and Country of Permanent Residence [REDACTED] MEXICO				<input checked="" type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated			
Date of Birth [REDACTED]	Age: 52	Date of Action 05/26/2012	Location Code ELC/ELS	Method of Location/Apprehension PB			
City, Province (State) and Country of Birth MORELOS, MEXICO		AR <input checked="" type="checkbox"/> Form: (Type and No.) Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>		At/Near CALEXICO, CA			
NIV Issuing Post and NIV Number		Social Security Account Name		Date/Hour 05/25/2012 2300			
Date Visa Issued		Social Security Number		By ABRAHAM ALEMAN			
Immigration Record POSITIVE - See Narrative		Criminal Record See Narrative		Status at Entry PWA Mexico			
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)		Number and Nationality of Minor Children 3 USC		Status When Found TRAVEL/SEEKING			
Father's Name, Nationality, and Address, if Known See Narrative		Mother's Present and Maiden Names, Nationality, and Address, if Known See Narrative		Length of Time Illegally in U.S. AT ENTRY			
Monies Due/Property in U.S. Not in Immediate Possession None Claimed	Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks See Narrative	Charge Code Words(s) I9A1				
Name and Address of (Last)(Current) U.S. Employer	Type of Employment	Salary	Employed from/to				
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) FINS # [REDACTED]							
							
ARREST COORDINATES: ----- Latitude: 32.67182 Longitude: -115.66872							
CONSEQUENCE DELIVERY SYSTEM: ----- Classification: CRMA							
Alien has been advised of communication privileges		JH 5/29/12 (Date/Initials)		JUAN RAUL HERAS Border Patrol Agent (Signature and Title of Immigration Officer)			
Distribution: TO A FILE ELC ELS		Received: (Subject and Documents) (Report of Interview) Officer: JUAN RAUL HERAS on: May 26, 2012 at 0336 (time) Disposition: REINSTATEMENT OF DEPORT ORDER 1-871 Examining Officer: GUILLERMO ARREDONDO					

U.S. Department of Homeland Security

Continuation Page for Form

I213

Alien's Name PERALTA-SANCHEZ, RUFINO	File Number A092 688 996 Event No: [REDACTED]	Date 05/26/2012
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Program: STR_PROS

FATHER NAME AND ADDRESS:

Nationality: MEXICO UBERTO
MORELOS, MEXICO

MOTHER NAME AND ADDRESS:

Nationality: MEXICO ROSA
MORELOS, MEXICO

FUNDS IN POSSESSION:

United States Dollar .00
Mexican Peso .00


RECORDS CHECKED:

AFIS Positive
CIS Positive
EARM Positive
IAFIS Positive
TECS Positive

NARRATIVE:

On May 26, 2012, Border Patrol Agent Abraham Aleman was performing Border Patrol operations on the United States/Mexico International boundary approximately eleven miles west of the Calexico, California Port of Entry. Agent Aleman was patrolling Zone Seven of El Centro Stations Area of Responsibility. Zone seven is a desert area with various washes and brush field area, which runs parallel to Highway 98. It's a zone with a high volume of alien trafficking activity due to its low visibility and rough terrain. Undocumented aliens, such as PERALTA avoid apprehension and detection by hiding in the in the brush, when in the presence of the Border Patrol. The undocumented aliens then continue north from the border, if they go undetected.

During the course of his duties, Agent Aleman encountered Rufino PERALTA-Sanchez and two other individuals approximately one miles north of the United States/Mexico international boundary. Agent Aleman approached PERALTA and identified himself as a United States Border Patrol Agent. Agent Aleman determined through questioning, that PERALTA and the other two individuals are citizens of Mexico with no immigration documents that would allow them to enter into or remain in the United States legally. PERALTA was subsequently arrested. PERALTA was advised of his Administrative Rights as per Service Form I-826 in the Spanish

Signature JUAN RAUL HERAS 	Title Border Patrol Agent
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U.S. Department of Homeland Security

Continuation Page for Form

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Alien's Name PERALTA-SANCHEZ, RUFINO	File Number A092 688 996 Event No [REDACTED]	Date 05/26/2012
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Language. PERALTA stated that he understood his rights. PERALTA was then transported to the El Centro Border Patrol Station for further processing.

At the station, PERALTA' biographical data, fingerprints, and photograph were entered into the E3/Ident/IAFIS systems. IAFIS revealed that PERALTA had been previously removed and that PERALTA has a criminal history as described below.

PERALTA was not advised his Miranda Rights within the allotted six hours due to a scheduled E3 outage from midnight till 4amPST along with a back log of receiving resulted in this delay.

At approximately 06:00 A.M. Agent Ayala advised PERALTA that his Administrative Rights no longer applied and that he is being Criminally Prosecuted for 8 USC 1326, Re-entry after prior removal.

During a video-taped sworn statement taken at approximately 06:05 A.M. on May 26, 2012, PERALTA was advised of his Miranda Rights by Border Patrol Jose Ayala and witnessed by Border Patrol Agent R. Hayes

PERALTA stated he understood his rights and stated that he was willing to answer any questions without the presence of an attorney.


Agent Ayala asked PERALTA what country he was a citizen or a national of and he said, "Mexico." Agent Ayala asked PERALTA if he had any documents to be in or remain in the United States legally and he said, "No." Agent Ayala asked PERALTA how and where he last entered the United States. PERALTA stated that he last enter the United States by walking through the desert. Agent Ayala then asked PERALTA if he had ever been deported and PERALTA said, "Yes." Agent Ayala asked PERALTA if he had sought and received permission from the Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States and PERALTA said, "No." PERALTA said that he intended to travel to Los Angeles, California to find work and reside permanently.

PERALTA was given the right to speak with a Consular Officer of the country of which he is a citizen, which he declined.

PERALTA claims and appears to be in good health.

PERALTA will be held at Imperial County Jail pending prosecution.

IMMIGRATION/CRIMINAL HISTORY:
A#092 688 996
FBI#4 [REDACTED]

Signature JUAN RAUL HERAS 	Title Border Patrol Agent
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U.S. Department of Homeland Security

Continuation Page for Form

I213

Alien's Name PERALTA-SANCHEZ, RUFINO	File Number A092 688 996 Event No: [REDACTED]	Date 05/26/2012
<p>1-ARRESTED OR RECEIVED 1982/11/06 SID- [REDACTED] AGENCY-SHERIFF'S OFFICE BAKERSFIELD (CA0150000) AGENCY CASE-230197 CHARGE 1-ARSON OF PROPERTY</p> <p>COURT- 1982/11/24 DISPOSITION-CHARGE DISMISSED- CHARGE-PC 451 D SENTENCE-</p> <p>2-ARRESTED OR RECEIVED 1983/03/17 SID- [REDACTED] AGENCY-SHERIFF'S OFFICE BAKERSFIELD (CA0150000) AGENCY CASE-230197 NAME USED-SANCHEZ, GABRIEL CHARGE 1-ARSON WRNT</p> <p>3-ARRESTED OR RECEIVED 1990/11/25 SID- [REDACTED] AGENCY-SHERIFF'S OFFICE FRESNO (CA0100000) AGENCY CASE-206390 NAME USED-SANCHEZ, RUFINO PERALTA CHARGE 1-FALSE ID PEACE</p> <p>4-ARRESTED OR RECEIVED 1996/01/20 SID- [REDACTED] AGENCY-SHERIFF'S OFFICE MERCED (CA0240000) AGENCY CASE-76606 NAME USED-SANCHEZ, RUFINO PERALIA CHARGE 1-DUI W/PRIOR CONVICTIONS</p> <p>COURT-SUPERIOR COURT MERCED (CA024013J) CHARGE-23175 VC-DUI W PRIOR SPECIFIC CONVICTIONS SENTENCE- CONVICTED COMMITTED TO PRISON -016MONTHS PRISON - RESTN</p> <p>5-ARRESTED OR RECEIVED 1996/03/14 SID- [REDACTED] AGENCY-DEUEL VOC INST TRACY (CA039015C) AGENCY CASE-J98487 NAME USED-SANCHEZ, RUFINO PERALTA CHARGE 1-CT1 DUI W/PRIORS</p> <p>COURT- CHARGE-CT1 DUI W/PRIORS SENTENCE- 1 YR 4 MOS</p> <p>6-ARRESTED OR RECEIVED 2000/03/08 SID- [REDACTED] AGENCY-STATE PRISON WASCO (CA015025C) AGENCY CASE-98487 NAME USED-SANCHEZ, RUFINO PERALTA CHARGE 1-CMT#1: PAROLE VIOLATOR CHARGE 2-CMT#2: CDC FROM: 10-FRESNO CO (#2) X001 11350(A) HS (F) POSSESS NARCOTIC CNTL SUB 667.5 (B) PC (#2) X001 23152(B)</p>		
Signature JUAN RAUL HERAS	Title Border Patrol Agent	

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U.S. Department of Homeland Security

Continuation Page for Form

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Alien's Name PERALTA-SANCHEZ, RUFINO	File Number A092 688 996 Event No: [REDACTED]	Date 05/26/2012
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VC (F) DUI ALCOHOL/0.08 W/PRS

COURT-
CHARGE-CMT#1: PAROLE VIOLATOR
SENTENCE-
CRT/F001000033
CHARGE-CMT#2: CDC FROM: 10-FRESNO CO (#2) X001 11350(A) HS (F)
POSSESS NARCOTIC CNTL SUB 667.5 (B) PC (#2) X001 23152(B) VC (F)
DUI ALCOHOL/0.08 W/PRS
SENTENCE-
SENT 28 MONTHS PRISN

7-ARRESTED OR RECEIVED 2001/07/05
AGENCY-FED BUR PRISONS SACRAMENTO (CA034017C)
AGENCY CASE-59748097 NAME USED-PERALTA-SANCHEZ,RUFINO
CHARGE 1-8 USC 1325(A) (1), ILLEGAL ENTRY

COURT-
CHARGE-8 USC 1325(A) (1), ILLEGAL ENTRY
SENTENCE-
09-20-00, 6 MONTHS CUSTODY


8-ARRESTED OR RECEIVED 2002/04/29
AGENCY-USINS BPSH TUCSON (AZINS0100)
AGENCY CASE-3188577A926889960610 NAME USED-PERALTA-SANCHEZ,RUFINO
CHARGE 1-8 USC 1326 ILLEG RE-ENT
CHARGE 2-8 USC 1326(B) (2) RE-ENTRY OF AGG FELON

9-ARRESTED OR RECEIVED 2002/11/21
AGENCY-FED BUR PRISONS-CCM ELOY (AZ011087C)
AGENCY CASE-59748097 NAME USED-PERALTA-SANCHEZ,RUFINO
CHARGE 1-8 USC 1326 ILLEGAL REENTRY

COURT-
CHARGE-8 USC 1326 ILLEGAL REENTRY
SENTENCE-
30 MOS CBOP 36 MOS SR

SUPERVISION OR CUSTODY-
AGENCY-US PROBATION OFFICE TUCSON (AZ010017G)
2004/07/02 STATUS--SUPERVISED RELEASE

10-ARRESTED OR RECEIVED 2012/05/21 SID- [REDACTED]
AGENCY-SHERIFF'S OFFICE FRESNO (CA0100000)
AGENCY CASE-1225679 NAME USED-SANCHEZ,RUFINO PERALTA
CHARGE 1-001 COUNTS OF DUI,ALCOHOL/DRUGS
CHARGE 2-001 COUNTS OF DRIVE W/O LICENSE


Signature JUAN RAUL HERAS 	Title Border Patrol Agent
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U.S. Department of Homeland Security

Continuation Page for Form

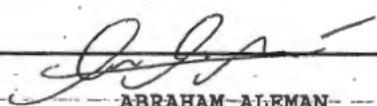
I213

Alien's Name PERALTA-SANCHEZ, RUFINO	File Number A092 688 996 Event No: E [REDACTED]	Date 05/26/2012
<p>11-ARRESTED OR RECEIVED 2012/05/22 AGENCY-ICE FRESNO (CAICE0500) AGENCY CASE-160422553 NAME USED-PERALTA-SANCHEZ, RUFINO CHARGE 1-ALIEN INADMISSIBILITY UNDER SECTION 212</p>		
Signature JUAN RAUL HERAS 	Title Border Patrol Agent	

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U.S. Department of Homeland Security




MEMORANDUM OF INVESTIGATION

File Number A092 688 996	Title: PERALTA-SANCHEZ, RUFINO	Control Office ELC/ELS
<p>Memorandum of Investigation</p> <p>-----</p> <p>On May 26, 2012, I, Border Patrol Agent Abraham Aleman was assigned to perform my official duties as part of the El Centro Station All-Terrain Vehicle (ATV) Unit approximately eleven miles west of the Calexico, California Port of Entry, in Zone 7 of the El Centro Border Patrol Station's Area of Responsibility.</p> <p>At approximately 10:45 p.m., I was notified via service radio of three individuals traveling northeast from the United States/Mexico International Boundary. The location in which the individuals entered is mainly agricultural fields with patches of desert terrain and heavy brush. The footprints of the individuals lead towards the Westside Main Canal. As I was traveling down the canal bank to help follow the footprints, I encountered their tracks going up a berm on the west side of the canal road. At the top of the berm is where I found the individuals hiding in a large bush approximately one mile north of the United States/Mexico International Boundary.</p> <p>I approached the individuals and identified myself as a United States Border Patrol Agent. I then questioned each of the individuals, one of whom was later identified as Rufino PERALTA-Sanchez. I asked PERALTA as to which country he was a citizen of, and he said, "Mexico". I then asked PERALTA if he had any immigration documents that would allow him to enter or remain in the United States legally, and he said, "No". I then took PERALTA into custody and advised him of his rights as per service form I-826. PERALTA was then transported to the El Centro Border Patrol Station for further processing.</p>		
Investigator BORDER-PATROL	 ABRAHAM-ALEMAN	Date July 20, 2012

U.S. Department of Homeland Security

Subject ID : [REDACTED]

Record of Deportable/Inadmissible Alien

Family Name (CAPS) PERALTA-SANCHEZ, Rufino		First	Middle	Sex M	Hair BLK	Eyes BLK	Complexion MD
Country of Citizenship MEXICO	Passport Number and Country of Issue	Case No. A092688996	File Number	Height 5'10"	Weight 180	Occupation LABORER	
U.S. Address NONE - CLAIMED				Scars and Marks			
Date, Place, Time, and Manner of Last Entry 05/25/2012, 2330, 11 mile(s) W of CAL, APOOT				Passenger Boarded at			
Number, Street, City, Province (State) and Country of Permanent Residence [REDACTED] MEXICO				TATTOO CHEST			
Date of Birth 09/07/1959	Age: 52	Date of Action 07/18/2012	Location Code SND/SND	FBI Number [REDACTED]			
City, Province (State) and Country of Birth MORELOS, MEXICO		AR <input checked="" type="checkbox"/> Form: (Type and No.) Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>		<input checked="" type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated			
NIV Issuing Post and NIV Number		Social Security Account Name		Method of Location/Apprehension [REDACTED]			
Date Visa Issued		Social Security Number		As/Now SAN DIEGO, CA			
Immigration Record POSITIVE - See Narrative		Criminal Record See Narrative		Date/Time 05/25/2012 2300			
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)				Number and Nationality of Minor Children 3 USC			
Father's Name, Nationality, and Address, if Known Uberto NATIONALITY: MEXICO ADDRESS: MORELOS, MEXICO				Mother's Present and Maiden Names, Nationality, and Address, if Known Rosa NATIONALITY: MEXICO ADDRESS: MORELOS, MEXICO			
Monies Due/Property in U.S. Not in Immediate Possession None Claimed		Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Systems Checks See Narrative		Charge Code Words(s) I7A1	
Name and Address of (Last)(Current) U.S. Employer		Type of Employment		Salary HR		Employed from/to	
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) FINS: [REDACTED] Left Index fingerprint Right Index fingerprint   							
NCIC Level 2 RECORDS CHECKED ----- CIS Pos CLAIM Neg NCIC Pos TECS Pos ... (CONTINUED ON I-831)							
Alien has been advised of communication privileges <u>07/18/2012</u> (Date/Initials)				Received: (Subject and Documents) (Report of Interview) Officer: RANDY CALLAHAN <i>Randy Callahan</i> on: July 18, 2012 at 1349 (time) Disposition: Expedited Removal (I-860) Examining Officer: JULIO HERNANDEZ <i>JA</i>			
Distribution: A FILE STATS							

Form I-213 (Rev. 08/01/07)

U.S. Department of Homeland Security

Continuation Page for Form I213

Alien's Name PERALTA-SANCHEZ, Rufino	File Number A092688996 Event No: [REDACTED]	Date 07/18/2012
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On May 26, 2012, Border Patrol Agent Christopher Whittemore was performing Border Patrol operations on the United States/Mexico International boundary approximately eleven miles west of the Calexico, California Port of Entry. Agent Whittemore was patrolling Zone Seven of El Centro Stations Area of Responsibility. Zone seven is a desert area with various washes and brush field area, which runs parallel to Highway 98. It's a zone with a high volume of alien trafficking activity due to its low visibility and rough terrain. Undocumented aliens, such as PERALTA avoid apprehension and detection by hiding in the in the brush, when in the presence of the Border Patrol. The undocumented aliens then continue north from the border, if they go undetected.

During the course of his duties, Agent Whittemore encountered Rufino PERALTA-Sanchez and two other individuals approximately one miles north of the United States/Mexico international boundary. Agent Whittemore approached PERALTA and identified himself as a United States Border Patrol Agent. Agent Whittemore determined through questioning, that PERALTA and the other two individuals are citizens of Mexico with no immigration documents that would allow them to enter into or remain in the United States legally. PERALTA was subsequently arrested. PERALTA was advised of his Administrative Rights as per Service Form I-826 in the Spanish Language. PERALTA stated that he understood his rights. PERALTA was then transported to the El Centro Border Patrol Station for further processing.

At the station, PERALTA's biographical data, fingerprints, and photograph were entered into the E3/Ident/IAFIS systems. IAFIS revealed that PERALTA had been previously removed and that PERALTA has a criminal history as described below.

PERALTA was not advised his Miranda Rights within the allotted six hours due to a scheduled E3 outage from midnight till 4am PST along with a back log of receiving resulted in this delay.


At approximately 06:00 A.M. Agent Ayala advised PERALTA that his Administrative Rights no longer applied and that he is being Criminally Prosecuted for 8 USC 1326, Re-entry after prior removal.

During a video-taped sworn statement taken at approximately 06:05 A.M. on May 26, 2012, PERALTA was advised of his Miranda Rights by Border Patrol Jose Ayala and witnessed by Border Patrol Agent R. Hayes

PERALTA stated he understood his rights and stated that he was willing to answer any questions without the presence of an attorney.

Agent Ayala asked PERALTA what country he was a citizen or a national of and he said, "Mexico." Agent Ayala asked PERALTA if he had any documents to be in or remain in the United States legally and he said, "No." Agent Ayala asked PERALTA how and where he last entered the United States. PERALTA stated that he last enter the United States by walking through the desert. Agent Ayala then asked PERALTA if he had ever been deported and PERALTA said, "Yes." Agent Ayala asked PERALTA if he had sought and received permission from the Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States and PERALTA said, "No." PERALTA said that he intended to travel to Los Angeles, California to find work and reside permanently.

PERALTA was given the right to speak with a Consular Officer of the country of which he is a citizen, which he declined.
...(CONTINUED ON NEXT PAGE)

Signature  RANDY CALLAHAN	Title Deportation Officer
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U.S. Department of Homeland Security

Continuation Page for Form I213

Alien's Name PERALTA-SANCHEZ, Rufino	File Number A092688996 Event No: [REDACTED]	Date 07/18/2012
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PERALTA claims and appears to be in good health.

PERALTA will be held at Imperial County Jail pending prosecution.

IMMIGRATION/CRIMINAL HISTORY:
A#092 688 996
[REDACTED]

1-ARRESTED OR RECEIVED 1982/11/06 SID- [REDACTED]
AGENCY-SHERIFF'S OFFICE BAKERSFIELD (CA0150000)
AGENCY CASE-230197
CHARGE 1-ARSON OF PROPERTY

COURT-
1982/11/24 DISPOSITION-CHARGE DISMISSED-
CHARGE-PC 451 D
SENTENCE-

2-ARRESTED OR RECEIVED 1983/03/17 SID- [REDACTED]
AGENCY-SHERIFF'S OFFICE BAKERSFIELD (CA0150000)
AGENCY CASE-230197 NAME USED-SANCHEZ,GABRIEL
CHARGE 1-ARSON WRNT

3-ARRESTED OR RECEIVED 1990/11/25 SID- [REDACTED]
AGENCY-SHERIFF'S OFFICE FRESNO (CA0100000)
AGENCY CASE-206390 NAME USED-SANCHEZ,RUFINO PERALTA
CHARGE 1-FALSE ID PEACE


4-ARRESTED OR RECEIVED 1996/01/20 SID- [REDACTED]
AGENCY-SHERIFF'S OFFICE MERCED (CA0240000)
AGENCY CASE-76606 NAME USED-SANCHEZ,RUFINO PERALIA
CHARGE 1-DUI W/PRIOR CONVICTIONS

COURT-SUPERIOR COURT MERCED (CA024013J)
CHARGE-23175 VC-DUI W PRIOR SPECIFIC CONVICTIONS
SENTENCE-
CONVICTED COMMITTED TO PRISON -016MONTHS PRISON
- RESTN

5-ARRESTED OR RECEIVED 1996/03/14 SID- [REDACTED]
AGENCY-DEUEL VOC INST TRACY (CA039015C)
AGENCY CASE-J98487 NAME USED-SANCHEZ,RUFINO PERALTA
CHARGE 1-CT1 DUI W/PRIORS

COURT-
CHARGE-CT1 DUI W/PRIORS
SENTENCE-
1 YR 4 MOS

... (CONTINUED ON NEXT PAGE)

Signature  RANDY CALLAHAN	Title Deportation Officer
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U.S. Department of Homeland Security

Continuation Page for Form I213

Alien's Name PERALTA-SANCHEZ, Rufino	File Number A092688996 Event No: [REDACTED]	Date 07/18/2012
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6-ARRESTED OR RECEIVED 2000/03/08 SID- CA07352159
AGENCY-STATE PRISON WASCO (CA015025C)
AGENCY CASE-98487 NAME USED-SANCHEZ,RUFINO PERALTA
CHARGE 1-CMT#1: PAROLE VIOLATOR
CHARGE 2-CMT#2: CDC FROM: 10-FRESNO CO (#2) X001 11350(A) HS (F)
POSSESS NARCOTIC CNTL SUB 667.5 (B) PC (#2) X001 23152(B)
VC (F) DUI ALCOHOL/0.08 W/PRS

COURT-
CHARGE-CMT#1: PAROLE VIOLATOR
SENTENCE-
CRT/F001000033
CHARGE-CMT#2: CDC FROM: 10-FRESNO CO (#2) X001 11350(A) HS (F)
POSSESS NARCOTIC CNTL SUB 667.5 (B) PC (#2) X001 23152(B) VC (F)
DUI ALCOHOL/0.08 W/PRS
SENTENCE-
SENT 28 MONTHS PRISON

7-ARRESTED OR RECEIVED 2001/07/05
AGENCY-FED BUR PRISONS SACRAMENTO (CA034017C)
AGENCY CASE-59748097 NAME USED-PERALTA-SANCHEZ,RUFINO
CHARGE 1-8 USC 1325(A) (1), ILLEGAL ENTRY

COURT-
CHARGE-8 USC 1325(A) (1), ILLEGAL ENTRY
SENTENCE-
09-20-00, 6 MONTHS CUSTODY


8-ARRESTED OR RECEIVED 2002/04/29
AGENCY-USINS BPSH TUCSON (AZINS0100)
AGENCY CASE-3188577A926889960610 NAME USED-PERALTA-SANCHEZ,RUFINO
CHARGE 1-8 USC 1326 ILLEG RE-ENT
CHARGE 2-8 USC 1326(B) (2) RE-ENTRY OF AGG FELON

9-ARRESTED OR RECEIVED 2002/11/21
AGENCY-FED BUR PRISONS-CCM ELOY (AZ011087C)
AGENCY CASE-59748097 NAME USED-PERALTA-SANCHEZ,RUFINO
CHARGE 1-8 USC 1326 ILLEGAL REENTRY

COURT-
CHARGE-8 USC 1326 ILLEGAL REENTRY
SENTENCE-
30 MOS CBOP 36 MOS SR

SUPERVISION OR CUSTODY-
AGENCY-US PROBATION OFFICE TUCSON (AZ010017G)
2004/07/02 STATUS--SUPERVISED RELEASE

10-ARRESTED OR RECEIVED 2012/05/21 SID- [REDACTED]
AGENCY-SHERIFF'S OFFICE FRESNO (CA0100000)
AGENCY CASE-1225679 NAME USED-SANCHEZ,RUFINO PERALTA
CHARGE 1-001 COUNTS OF DUI,ALCOHOL/DRUGS
... (CONTINUED ON NEXT PAGE)

Signature  RANDY CALLAHAN	Title Deportation Officer
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U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name PERALTA-SANCHEZ, Rufino	File Number A092688996 Event No: [REDACTED]	Date 07/18/2012
<p>CHARGE 2-001 COUNTS OF DRIVE W/O LICENSE</p> <p>11-ARRESTED OR RECEIVED 2012/05/22 AGENCY-ICE FRESNO (CAICE0500) AGENCY CASE-160422553 NAME USED-PERALTA-SANCHEZ,RUFINO CHARGE 1-ALIEN INADMISSIBILITY UNDER SECTION 212</p> <p>ADDENDUM created by Deportation Officer Randy Callahan on July 18, 2012. <i>Randy Callahan</i></p> <p>Subject was released to the San Diego ICE, Federal Criminal Alien Program Unit from the Bureau of Prisons pursuant to an I-247 Immigration Detainer placed by Border Patrol Agents. Subject was provided an opportunity to make a free phone call in accordance with local policy. Documentation of any calls made was placed in the file.</p> <p>On or about July 17, 2012, Subject pled guilty in the United States District Court, Southern District of California, to the offense of Illegal Entry (felony), in violation of Title 8 USC 1325. Subject was sentenced to time served (approximately 52 days) incarceration for this conviction.</p> <p>Subject will be served a Form I-860 Notice and Order of Expedited Removal and will be removed to Mexico on this date. Subject does not claim to have a fear of returning to his home country of Mexico.</p> <p>Subject does not claim to have any applications/petitions pending with the United States Department Homeland Security, Bureau of Citizenship and Immigration Services. Subject has not served in the U.S. military. There are no appeals pending with the BIA or 9th Circuit Court of Appeals at this time.</p>		
Signature <i>Randy Callahan</i> RANDY CALLAHAN		Title Deportation Officer

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Exhibit 6

U.S. Department of Homeland Security

Warrant of Removal/Deportation

Subject ID: [REDACTED]

File No: A092 688 996

Event No: [REDACTED]

Date: December 23, 2013

To any immigration officer of the United States Department of Homeland Security:

RUFINO PERALTA-SANCHEZ AKA: PERETA-SANCHEZ, JOFINO

(Full name of alien)

who entered the United States at Calexico, California on July 22, 2012
 (Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

- ☐ an immigration judge in exclusion, deportation, or removal proceedings
☒ a designated official
☐ the Board of Immigration Appeals
☐ a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:
 241(a) (5)

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

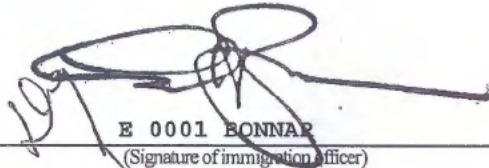
Salaries and Expenses, Department of Homeland Security 2014

IDENTIFIED

[REDACTED]

DATE: 1/29/14

OFFICER: 8147



E 0001 BONNAR
 (Signature of immigration officer)

DFOD

(Title of immigration officer)

JAN 27 2014, Bakersfield, California
 (Date and office location)

Please Return Executed I-205/94 to
ICE ORO
800 Truxtun Ave
Bakersfield, CA 93301
FEDEX Account# 221000953

Form I-205 (Rev. 08/01/07)

781 of 83

To be completed by immigration officer executing the warrant:

Name of alien being removed:

RUFINO PERALTA-SANCHEZ

Port, date, and manner of removal:

SYSDOE 1/30/14 AT00T



Photograph of alien removed



Right index fingerprint of alien removed

QES
5-22-14
KI

X RUFINO PERALTA-S.
(Signature of alien being fingerprinted)

[Signature] IER
(Signature and title of immigration officer taking print)

Departure witnessed by:

R KITCHENS IER
(Signature and title of immigration officer)

If actual departure is not witnessed, fully identify source or means of verification of departure:

If self-removal (self-deportation), pursuant to 8 CFR 241.7, check here. ☐

Departure Verified by:

(Signature and title of immigration officer)

U.S. Department of Homeland Security

Notice of Intent/Decision to Reinstate Prior Order

File No. A092 688 996

Event No: [REDACTED]

Date: December 23, 2013

RUFINO PERALTA-SANCHEZ AKA: PERETA-SANCHEZ, JOFINO

Name: _____

In accordance with section 241(a)(5) of the Immigration and Nationality Act (Act) and 8 CFR 241.8, you are hereby notified that the Secretary of Homeland Security intends to reinstate the order of Exclusion entered against you. This intent is based on the following determinations:

(Deportation / exclusion / removal)

1. You are an alien subject to a prior order of deportation / exclusion / removal entered on July 18, 2012 at San Diego, California

(Date) (Location)

2. You have been identified as an alien who:

☒ was removed on July 18, 2012 pursuant to an order of deportation / exclusion / removal.

(Date)

☐ departed voluntarily on _____ pursuant to an order of deportation / exclusion / removal on or after the date on which such order took effect (i.e., who self-deported).

(Date)

3. You illegally reentered the United States on or about July 22, 2012 at or near Calexico, California

(Date) (Location)

In accordance with Section 241(a)(5) of the Act, you are removable as an alien who has illegally reentered the United States after having been previously removed or departed voluntarily while under an order of exclusion, deportation or removal and are therefore subject to removal by reinstatement of the prior order. You may contest this determination by making a written or oral statement to an immigration officer. You **do not** have a right to a hearing before an immigration judge.

The facts that formed the basis of this determination, and the existence of a right to make a written or oral statement contesting this determination, were communicated to the alien in the English / Spanish language.

R. MURZO
(Printed or typed name of official)

[Signature]
(Signature of officer)

IEA 847
(Title of officer)

Acknowledgment and Response

I ☐ do ☒ do not wish to make a statement contesting this determination.

1/22/14
(Date)

X RUFINO PERALTA-SANCHEZ
(Signature of Alien)

Decision, Order, and Officer's Certification

Having reviewed all available evidence, the administrative file and any statements made or submitted in rebuttal, I have determined that the above-named alien is subject to removal through reinstatement of the prior order, in accordance with section 241(a)(5) of the Act.

1/29/14
(Date)

Bakersfield, California
(Location)

[Signature]
(Signature of authorized deciding official)

D. C. 0005 CORRAL
(Printed or typed name of official)

SDPO
(Title)